

Alien Status / Eligibility for Community Services Division (CSD) Programs

The attached chart provides a high level overview of how alien status affects eligibility for various programs administered by CSD field offices. There are many different types of alien status – some of which are eligible for federal programs and some that are not. There may be exceptions or slight variations to the information below. For more information, see WAC 388-424-0001, WAC 388-466-0005 and Federal Code 8 USC Sec. 1641.

The Personal Responsibility and Work Opportunities Reconciliation Act of 1996 (PRWORA) made sweeping changes to eligibility requirements based on aliens status for major federal means tested programs, including TANF, Medicaid, Food Stamps (now SNAP) and SSI. Many states, including Washington, authorized state-only funded programs, such as State Family Assistance (SFA) and Food Assistance Program (FAP), to provide benefits to categories of aliens who lost eligibility for federal benefits as the result of the PRWORA changes. Other state programs, such as General Assistance (now Disability Lifeline), experienced caseload increases because many aliens could no longer qualify for SSI or lost eligibility for SSI due to time limits imposed by the PRWORA changes. Subsequent federal legislation has rolled back some Medicaid and SCHIP restrictions for children and pregnant women.

Benefit Type	Programs	Alien Status					
		“Qualified Aliens” Under 8 USC Sec. 1641 (does not apply to qualified aliens who entered US prior to 8/22/1996)			Victims of Human Trafficking/Spec. immigrants from Iraq & Afghanistan	Permanently Residing Under Color of Law (PRUCOL)	“Undocumented” or not permanently residing
		Lawful Permanent Resident	Refugees / Asylees	Other (Amerasians, abused spouses/ children, etc.			
Cash	TANF (Federal) 388-400-0005	Eligible if in US 5+ yrs ¹	Eligible	Eligible	Eligible	Not Eligible	Not Eligible
	SFA (State) 388-400-0010	Eligible if in US < 5 yrs	NA ³	NA ³	NA ³	Eligible	Not Eligible
	DCA (State) 388-432-0005	Eligible	Eligible	Eligible	Eligible	Eligible	Not Eligible
	DL (GA)/ADATSA (State) 388-400-0025	Eligible	Eligible	Eligible	Eligible	Eligible	Not Eligible
	SSI/State Supp. (Federal/State) 388-474-0001	Not Eligible ⁴	Eligible for up to 7 years from date of entry	Eligible for up to 7 years from date of entry	Eligible for up to 7 years from date of entry	Not Eligible	Not Eligible
	Refugee Cash and Medical Assistance 388-466-0120 and 0130	Not Eligible	Eligible for 1 st 8 mos. in US	Eligible	Eligible for 1 st 8 mos. In US	Not Eligible	Not Eligible
	CEAP (State) 388-436-0015	Eligible	Eligible	Eligible	Eligible	Eligible	Eligible
Food	SNAP (Federal) 388-400-0040	May be eligible	Eligible	Eligible	Eligible	Not Eligible	Not Eligible
	FAP (State) 388-400-0045	May be eligible	NA ³	NA	NA	Eligible	Not Eligible
Medical	Medicaid/SCHIP for Children/Pregnant Women	Eligible	Eligible	Eligible	Eligible	Eligible 6	Not Eligible –children Eligible – pregnant women under SCHIP for unborn
	Full Scope Adult Medicaid	Eligible if in US 5+ yrs ¹	Eligible	Eligible	Eligible	Not Eligible	Not Eligible
	Children’s Health Program (State)	NA	NA	NA	NA	Eligible – if not lawfully present	Eligible
	Alien Emergency Medical (Federal) ⁷	Eligible if in the US <5 years	NA	NA	NA	Eligible	Eligible
	Alien Emergency Medical (State) ⁸	Eligible if in the US <5 years	NA	NA	NA	Eligible	Eligible

	Medical Care Services (State) ⁹	Eligible	Eligible	Eligible	Eligible	Eligible	Not Eligible
¹ In general, aliens admitted for lawful permanent residence after 8/22/1996 are not eligible for TANF or adult full scope Medicaid for the first five years after their date of entry in the US. Federal law grants certain exceptions to the five year bar members of the armed forces, veterans, and their spouses and children. ³ "NA" indicates that these aliens are eligible for a comparable federal benefit (e.g., TANF rather than SFA) or full-scope federal medical coverage. ⁴ In general, persons admitted for lawful permanent residence after 8/22/1996 are not eligible for SSI. Exceptions may be made for persons who have lived in the US for at least 5 years and have 40 qualifying credits for earnings. ⁵ Lawful Permanent Residents who have lived in the US for less than 5 years may be eligible for SNAP if they have 40 qualifying credits for earnings, are under age 18, receive cash or medical benefits based on SSI criteria for blindness or disability, or are members of the armed forces, veterans or their spouses and children. ⁶ Medicaid and SCHIP eligibility has recently been expanded to include pregnant women and children who are lawfully present in the US and meet residency requirements.. ⁷ Coverage is generally limited to treatment for emergency conditions (as approved by MPA) for care provided in hospital inpatient, emergency room or outpatient surgery settings. Pregnant women are eligible for full-scope care with non-emergent services covered by state funds. Lawful permanent residents ineligible for Medicaid due to the 5-year bar may be eligible for Alien Emergency Medical. ⁸ State funded coverage for medical care not covered under federal Alien Emergency Medical, including End Stage Renal Disease (dialysis), cancer treatment, or medical coverage for nursing home residents. This program is scheduled for elimination on 1/1/11. ⁹ Medical coverage for persons who are eligible for Disability Lifeline or ADATSA benefits and who are not eligible for Medicaid							

Brief Descriptions of Alien Status

- Qualified Aliens: Defined in WAC 388-424-0001 and in federal law
 - Certain abused spouses or children, parents of abused children, or children of abused spouses
 - Amerasians who were born to US servicemen in Southeast Asia during the Viet Nam war
 - Individuals who have been granted asylum
 - Cuban / Haitian entrants
 - Lawful Permanent Residents under INA
 - Certain persons granted parole under INA 212 (d)(5) for at least 1 year, withholding of deportation or removal
 - Refugees: Includes persons admitted as refugees and asylees, Cuban-Haitian entrants

Victims of Trafficking / Special Immigrants from Iraq and Afghanistan – (same rights as refugees)

PRUCOLS – (Permanently residing under color of law) – These are individuals who are not qualified aliens as described above, intend to reside in the US and the United States Citizenship and Immigration Services (USCIS) is not taking steps to deport them. Examples of PRUCOL aliens include applicants for asylum, citizens of the Marshall Islands, Citizens of Micronesia, residing in the US since prior to January 1, 1972, etc.

Undocumented immigrants are individuals who either entered the US without inspection at the border or were lawfully admitted but then lost their status.

References:

WAC 388-424-0001

8 USC Sec. 1641